

EXHIBIT G

HONORABLE GLENNA HALL

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Via fed ex
MAY 11 2005
GLADYS L. COOPER, CLERK, PROB.

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

JOHN WARTA,

Plaintiff,

v.

GST USA, INC., a Delaware corporation;
GST TELECOM, INC., a Delaware
corporation and GST
TELECOMMUNICATIONS, INC., a
Canadian corporation,

Defendants.

GST USA, INC., a Delaware corporation;
GST TELECOM, INC., a Delaware
corporation and GST
TELECOMMUNICATIONS, INC., a
Canadian corporation,

Counterclaim Plaintiffs,

JOHN WARTA and his marital community;
CLIFFORD SANDER and his marital
community,

Counterclaim Defendants.

I, THOMAS D. ADAMS, declare and state as follows:

1. I am over the age of 18 and am competent to testify as to the facts stated herein.
2. I represented Defendants GST USA, Inc., GST Telecom, Inc., and GST

1 Telecommunications, Inc. ("GST") in the above matter and have personal knowledge of all
2 matters attested to in this declaration.

3 3. Attached hereto as *Exhibit A* is a true and correct copy of the *Clerk's Order of*
4 *Dismissal* entered into in this matter. I first obtained it on September 28, 2004. I previously
5 was unaware of its existence and was not served with a copy when it was issued.

6 4. Attached hereto as Exhibit B is a true and correct copy of the Notice of
7 Bankruptcy Filing, staying the action, which I filed and caused to be served on or about May
8 23, 2000.

9 5. To the best of my knowledge, GST never received the Order of Dismissal or
10 invoice from the King County Office of Finance for a non-compliance fee.

I hereby affirm subject to penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my information and belief.

DATED: October 6, 2004, at Seattle, King County, Washington.

By L. D. A.
THOMAS D. ADAMS

3417642.1

Page 2 - DECLARATION OF THOMAS D. ADAMS

Bullivant|Houser|Bailey PC
1601 Fifth Avenue, Suite 2300
Seattle, WA 98101-1618
Telephone: (206) 292-8930

EXHIBIT G
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EXHIBIT A

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FILED
KING COUNTY, WASHINGTON

DEC 20 2000

SUPERIOR COURT CLERK

**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING**

WARTA

Plaintiff/Petitioner,

vs.

GST USA INC ET AL

Defendant/Respondent.

NO. 99-2-02287-4 SEA

CLERK'S ORDER OF DISMISSAL

(CLOD)

I. BASIS

Pursuant to R.C.W. 4.56.120(4), the Court may dismiss an action abandoned by the plaintiff upon trial. Pursuant to King County Local Rule 41(b)(2)(A), if the case has not been disposed of within 45 days after the scheduled trial date, the case will be dismissed without prejudice on the Clerk's motion without prior notice to the parties.

- 1.1 This case was set for trial on 6/12/00
- 1.2 More than forty five (45) days have passed since the scheduled trial date, the Clerk has researched the legal file and no final dispositive document/order has been received.

II. ORDER

THEREFORE, IT IS ORDERED that this case is dismissed without prejudice. (This dismissal does not affect divorces, determinations of parentage, child support orders, judgments, or other orders entered prior to the filing of the latest action.)

An invoice from the King County Office of Finance for a non-compliance fee will be mailed to you within 30 days of this Notice, pursuant to King County Code 4.71.050.

Date: DEC 20 2000


Presiding Judge

Presented By:

PAUL L. SHERFEE
KING COUNTY SUPERIOR COURT CLERK

By: Nestor Tamayao, Deputy Clerk

Case Management : (206) 296-7872

Assigned to Department 10

rptB97024 (200012)

99-2-02287-4 SEA

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EXHIBIT B

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1 **CERTIFICATE OF SERVICE**

I certify under penalty of perjury under the laws of the State of Washington that on this day I caused to be delivered via Facsimile and Federal Express, next day delivery, a copy of this document to plaintiff and Counterclaim Defendants' counsel of record.


Dated: May 23, 2000 at Seattle, Washington.

THE HONORABLE GLENNA HALL

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8 **IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON**
9 **IN AND FOR THE COUNTY OF KING**

10 JOHN WARTA,

11 Plaintiff,

12 v.

13 GST USA, INC., a Delaware corporation;
14 GST TELECOM, INC., a Delaware
15 corporation and GST
16 TELECOMMUNICATIONS, INC., a
17 Canadian corporation,

Defendants.

No. 99-2-02287-4SEA

NOTICE OF BANKRUPTCY FILING

18 GST USA, INC., a Delaware corporation;
19 GST TELECOM, INC., a Delaware
20 corporation and GST
21 TELECOMMUNICATIONS, INC., a
22 Canadian corporation,

Counterclaim Plaintiffs,

22 JOHN WARTA and his MARITAL
23 COMMUNITY and CLIFFORD SANDER
24 and his MARITAL COMMUNITY

Counterclaim Defendants.

Page 1 - NOTICE OF BANKRUPTCY FILING

BULLIVANT HOUSER BAILEY
A Professional Corporation
1601 Fifth Avenue, Suite 2400
Seattle, WA 98101-1618
Telephone (206) 392-8930

EXHIBIT 6
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1 To: Clerk of Court

2 And To: Plaintiff John Warta and Counterclaim Defendants John Warta, Clifford
3 Sander, and their counsel of record

4 PLEASE TAKE NOTICE that GST USA, Inc., GST Telecom, Inc., and GST
5 Telecommunications, Inc., filed for protection under Chapter 11 of the United States
6 Bankruptcy Code on May 17, 2000. The Petition was filed in the U.S. Bankruptcy Court for
7 the District of Delaware. The case numbers, respectively, are 00-01984, 00-01982 and 00-
8 01983. The Debtor in Possession's counsel for each debtor is David Heller of Latham &
9 Watkins, 233 South Wacker Drive, Suite 5800, Chicago, Illinois 60606-6401, and their
10 telephone number is (312) 876-7700.

11 Pursuant to 11 U.S.C. § 362, all actions against the debtors or any of the assets of the
12 debtors are stayed.

13 DATED this 23rd day of May, 2000.

14 BULLIVANT HOUSER BAILEY
A Professional Corporation

15 By Thomas D. Adams
16 Thomas D. Adams, WSBA No. 18470

17 WILSON SONSINI GOODRICH & ROSATI
18 Professional Corporation
19 David S. Steuer (Pro Hac Vice)
Jared L. Kopel (Pro Hac Vice)
Douglas J. Clark (Pro Hac Vice)
20 650 Page Mill Road
Palo Alto, CA 94304-1050
Telephone: (650) 493-9300
Facsimile: (650) 565-5100

21 Attorneys for Defendants and Counterclaim Plaintiffs
22 GST USA, Inc., GST Telecom, Inc., and GST
Telecommunications, Inc.

23 F:\CLIENTS\12368\11\PLDGs\NOTICE OF BANKRUPTCY FILING.DOC

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Page 2 - NOTICE OF BANKRUPTCY FILING

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